



# Kim Hixson

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## REP. KIM HIXSON'S TESTIMONY ON ASSEMBLY BILL 106

Good morning, Chairman Berceau and members of the Assembly Committee on Urban and Local Affairs. Thank you for the opportunity to voice my support for Assembly Bill 106, the "Responsible Tavern Service Bill." This common-sense legislation would prohibit persons under the age of 18 from drinking alcoholic beverages in a tavern when accompanied by a parent, guardian or spouse who has attained legal drinking age.

As you all know, we have many great cultural traditions here in Wisconsin that involve enjoying moderate consumption of alcoholic spirits. These include tail-gating at the Brewer's game, July 4<sup>th</sup> beer tents and the long history of German beer gardens. But this drinking culture has a price.

Wisconsin has a culture of alcohol consumption that exposes children and teens to drinking. Under current law, persons under the legal drinking age may be served if they are accompanied by an appropriately designated person who has attained legal drinking age. This moderate legislation affords responsible parents the ability to introduce their adult children to alcohol at a responsible age and provides tavern owners with a clear law to follow.

### Consider these facts:

- People who begin to drink before the age of 15 are four times more likely to develop alcohol dependence and are two-and-a-half times more likely to become abusers of alcohol than those who begin drinking at age 21.
- Alcohol use by children and teens affects brain development and has life-long health implications.
- In 2007, Wisconsin ranked highest in the United States for use of alcohol among high school students.

I have included along with my testimony a 2008 article from *The New York Times* that discusses the problem of drinking in Wisconsin and actually uses Edgerton, a city that I represent, as a case study. Surprisingly, a recent investigation conducted by Milwaukee's Fox-6 News found that 7 of the 10 bars the news team visited with a hidden camera served alcohol to a 13-year-old boy who was accompanied by a parent.

During the coming floor period in the State Legislature, we will be addressing many aspects of the scourge of drunk driving. My life was touched at an early age when a drunk driver killed my girlfriend. I was in my first year of college. She was killed five days before Christmas and 10 days before her 18<sup>th</sup> birthday. It's hard for me not to think about her each time I read another tragic story about someone who lost his or her life as a result of someone irresponsibly driving under the influence of alcohol. By working together, it is my hope that we can avoid similar tragedies by addressing Wisconsin's drinking culture and, in turn, making our roads safer through sensible public policy.



November 16, 2008

## Some See Big Problem in Wisconsin Drinking

By **DIRK JOHNSON**

EDGERTON, Wis. — When a 15-year-old comes into Wile-e's bar looking for a cold beer, the bartender, Mike Whaley, is happy to serve it up — as long as a parent is there to give permission.

"If they're 15, 16, 17, it's fine if they want to sit down and have a few beers," said Mr. Whaley, who owns the tavern in this small town in southern Wisconsin.

While it might raise some eyebrows in most of America, it is perfectly legal in Wisconsin. Minors can drink alcohol in a bar or restaurant in Wisconsin if they are accompanied by a parent or legal guardian who gives consent. While there is no state law setting a minimum age, bartenders can use their discretion in deciding whom to serve.

When it comes to drinking, it seems, no state keeps pace with Wisconsin. This state, long famous for its breweries, has led the nation in binge drinking in every year since the Centers for Disease Control and Prevention began its surveys on the problem more than a decade ago. Binge drinking is defined as five drinks in a sitting for a man, four for a woman.

People in Wisconsin are more likely than anywhere else to drive drunk, according to the National Survey on Drug Use and Health. The state has among the highest incidence of drunken driving deaths in the United States.

Now some Wisconsin health officials and civic leaders are calling for the state to sober up. A coalition called All-Wisconsin Alcohol Risk Education started a campaign last week to push for tougher drunken driving laws, an increase in screening for alcohol abuse at health clinics and a greater awareness of drinking problems generally.

The group, led by the University of Wisconsin School of Medicine and Public Health, criticized the state as having lenient alcohol laws and assailed a mindset that accepts, even celebrates, getting drunk.

"Our goal is to dramatically change the laws, culture and behaviors in Wisconsin," said Dr. Robert N. Golden, the dean of the medical school, calling the state "an island of excessive consumption." He said state agencies would use a \$12.6 million federal grant to step up screening, intervention and referral services at 20 locations around Wisconsin.

The campaign comes after a series in The Milwaukee Journal Sentinel titled "Wasted in Wisconsin," which chronicled the prodigious imbibing among residents of the state, as well as the state's reluctance to crack down on alcohol abuse.

Drunken drivers in Wisconsin are not charged with a felony until they have been arrested a fifth time. Wisconsin law prohibits sobriety checks by the police, a common practice in other states.

"People are dying," the newspaper exclaimed in an editorial, "and alcohol is the cause."

Wisconsin has long been famous for making and drinking beer. Going back to the 1800s, almost every town in the state had its own brewery. Milwaukee was the home of Miller, Pabst and Schlitz. Now Miller is the only big brewery in the city.

Most people in Wisconsin say the beer-drinking traditions reflect the customs of German immigrants, passed down generations. More than 40 percent of Wisconsin residents can trace their ancestry to Germany. Some experts, though, are skeptical of the ethnic explanation. It has been a very long time, after all, since German was spoken in the beer halls of Wisconsin.

Whatever the reason, plenty of Wisconsin people say they need to make no apologies for their fondness for drinking.

"I work 70, 80 hours a week, and sometimes I just want to relax," said Luke Gersich, 31, an engineering technician, who drank a Miller as he watched the Monday Night Football game at Wile-e's tavern. On a weeknight, he said he might drink seven or eight beers. On a weekend, it might be closer to 12.

In Wisconsin, people often say, there is always a bar around the next corner. But drinking is scarcely limited to taverns. A Friday fish fry at a Wisconsin church will almost surely include beer. The state counts some 5,000 holders of liquor licenses, the most per capita of any state, said Peter Madland, the executive director of the Tavern League of Wisconsin.

"We're not ashamed of it," Mr. Madland said. He said anti-alcohol campaigns were efforts to "demonize" people who simply liked to kick back and relax with some drinks.

"It's gotten to the point where people are afraid to have a couple of beers after work and drive home, for fear they'll be labeled a criminal," he said. "At lunch, people are afraid if they order a beer someone will think they have a drinking problem."

But the drinkers have typically had plenty of advocates in the State Legislature. State Representative Marlin Schneider, for example, sees sobriety checkpoints as an intrusion on Constitutional rights of due process.

As for allowing minors to drink in bars with their parents, Mr. Schneider said the law simply allowed for parents to educate and supervise the youthful drinking. "If they're going to drink anyhow," said Mr. Schneider, Democrat of Wisconsin Rapids, "it's better to do it with the parents than to sneak around."

Technically speaking, the sale is between the bartender and the parent or legal guardian, who then gives the drink to the minor. The bartender has the discretion to decide whether the minor can drink in the establishment.

Before he owned Wile-e's, Mr. Whaley said there were some cases where he had to say no to a parent. "I've had situations where a parent was going to buy drinks for a kid who looked 8 or 10 years old," he said, "and I had to say, 'That's a no-go.'"

He also has a rule in his tavern that under-age drinkers must leave by 9 p.m. "When it gets later in the night, people don't want a bunch of kids running around," he said.

One recent night, a lanky, blond-haired 17-year-old boy shot pool at the bar with his dad. Both were drinking soda.

In Mr. Whaley's view, the bar can be a suitable place for families to gather, especially when the beloved Green Bay Packers are on the television. "On game days, a buddy of mine will come to the bar with his 2-year-old, his 8-year-old and his 10-year-old," Mr. Whaley said. "He might get a little drunk. But his wife just has a few cocktails. It's no big deal. Everybody has a good time."

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#### AWARE Coalition Members

TO: Members of the Assembly Committee on Urban and Families and Local Affairs

DATE: August 25, 2009

RE: Assembly Bill 106, Support

Good morning and thank you for the opportunity to testify today. As mentioned I represent UW Health, and the AWARE (All Wisconsin Alcohol Risk Education) Coalition. I am here testifying in support of Assembly Bill 106. AB 106 is a step in the right direction. Some AWARE members, like Mothers Against Drunk Driving, oppose the bill because they feel it doesn't go far enough in reinforcing 21 as the legal drinking age as it is in Wisconsin and the entire U.S. In the interest of progress, AWARE supports AB 106.

Dr. Paul Grossberg from the UW Madison School of Medicine and Public Health who is an expert in the effects of alcohol on pediatric brain development unfortunately could not be here today but I have submitted written testimony on his behalf.

The leaders of UW Health recognized nearly a year ago that alcohol usage in Wisconsin is a public health crisis. As we looked around the state we were unable to locate a comprehensive statewide group advocating for health and safety as it relates to alcohol abuse. It was with that idea and really an extension of the Wisconsin idea, that AWARE was created to proactively support change and education about alcohol risks. In November AWARE was launched and the support has been, quite frankly, overwhelming.

To date AWARE has over 50 different health, law enforcement, community, education and local units of government.

Allow me briefly to share with you some staggering facts about alcohol consumption in WI:

Affinity Health System  
Aurora Health Care  
Bay Area Community Council  
Beloit Memorial Hospital  
BRAVO is Building Responsible Alcohol Values and Options  
Children's Hospital and Health System  
Columbia County Connects  
Dane County  
Edgerton Coalition for a Health Community  
Focus on Community, Racine  
Froedtert & Community Health  
Gundersen Lutheran  
La Crosse County Board of Supervisors  
Madison Mayor's Office  
Marathon City Alcohol & Other Drugs Partnership Council  
Marathon County Health Department  
Marshfield Clinic  
Medical College of Wisconsin  
Medical Students for Legislative Action  
Meriter Health Services  
Milwaukee Deputy Sheriffs Association  
Ministry Health Care  
Mothers Against Drunk Driving  
Natl. Assoc. of Alcoholism & Drug Abuse Counselors  
Reedsburg Area Medical Center  
Resource Center on Impaired Driving  
Rock County Partners in Prevention  
Rock County Youth2Youth  
Rogers Behavioral Health System  
Rural Wisconsin Health Cooperative  
St. Joseph's Community Health Services, Hillsboro  
Southern Alliance Regional Council (SARC)  
Unity Health Insurance  
UW Health  
Vernon County Partnership Council  
Watertown Parent Advisory on Underage Drinking  
WI Alcohol & Drug Treatment Providers Assoc.  
WI Assoc. of Local Health Departments and Boards  
WI Assoc. on Alcohol & Other Drug Abuse  
WI Assoc. of Alcoholism & Drug Abuse Counselors  
WI Chapter of the American College of Emergency Physc.  
WI County Police Association  
WI District Attorneys Association  
WI Hospital Association  
WI Medical Society  
WI Nurses Association  
WI Public Health Association  
WI Public Health Council  
WI Sheriffs & Deputy Sheriffs Association  
WI State Laboratory of Hygiene  
WPS Health Insurance

- WI Leads the country with the highest U.S. rates of alcohol consumption, binge drinking and heavy drinking.
- Highest alcohol use in the country among high school students.
- WI drunk driving fatalities have actually increased when nationwide fatalities have decreased.
- It is estimated that over half of Wisconsin's prison population have AODA issues.
- Underage alcohol consumption can have profound effects on adolescent brain development.

The culture of drinking in this state needs to change.

AWARE is a coalition comprised in part of health care providers and caregivers who want to work to begin building a healthier Wisconsin and to promote wellness and protect teens and their families, as well as our communities from the effects of underage drinking and the potential for abuse.

AB 106 is a first step in the beginning of a long journey to preventing underage drinking and reversing the deadly drinking culture in Wisconsin.



University of Wisconsin  
SCHOOL OF MEDICINE  
AND PUBLIC HEALTH

For the Committee on Children and Families and Workforce Development

Testimony in Support of 2009 Assembly Bill 106, August 25, 2009  
Paul M. Grossberg, MD

I am testifying in support of Assembly Bill 106.

As a pediatrician in this community for over 30 years, I have cared for thousands of teenagers and young adults whose health and well-being were undermined by their use of alcohol, including getting injured while drunk, engaging in unprotected or unplanned sex, and experiencing an increase in clinical depression.

As a college health physician on the UW-Madison campus, I have been privileged to provide health care to intelligent, young people, most of whom manage to balance their academic and social needs fairly well. Yet, every day in clinic I see firsthand the health consequences of high-risk drinking in young students whose lives and bright futures are too often jeopardized by their inability to say "Enough. I'm done!" The part of the brain that controls judgment, the pre-frontal cortex, simply is not as developed as the thrill-seeking centers of the brain. These judgment cells need time to grow and develop the complicated pathways necessary for higher thinking, decision-making, self-control, and the ability to focus and weigh consequences of actions. At age 18 these cells are more developed than at age 14, but the maturing process is gradual, and they are definitely not fully mature until the early 20's or sometimes mid-20's.

Federally funded research in the past decade or so has revealed the neurobiology behind the age-old problems we've seen when teenagers drink alcohol. Dr. Aaron White, a Duke University researcher said a few years ago: "We definitely didn't know 5 or 10 years ago that alcohol affected the teen brain differently. Now there's a sense of urgency. It's the same place we were in when everyone realized what a bad thing it was for pregnant women to drink alcohol." His work and that of several other cutting edge studies are summarized in a well-researched New York Times article in July 2006, "The Grim Neurology of Teenage Drinking," which I am copying for the Committee. It makes the complex science of neurotransmitter research readily understandable. I am also leaving you some recent articles from the journal, *Pediatrics*.

In addition to these "judgment cells" being less developed at any point in adolescence, alcohol disrupts their cellular connections more than other areas other

brain, so the judgment center becomes even more adversely affected. The part of the brain responsible for self-control and "putting on the brakes" is itself being suppressed. Furthermore, the earlier the drinking occurs, the more likely it is that the damage will be longer-term. This includes cognitive impairment in memory, visual, and spatial functioning. Recent studies have shown that nearly half of those who begin drinking alcohol before age 14 become alcohol dependent at some time in their lives, compared with 9% of those who wait until age 21 to start drinking.

Condoning underage drinking with parents in bars and restaurants, despite the rationalizations of some who say it encourages responsible drinking, sends a confused and unhealthy message. It is bad public policy to allow children to drink in licensed premises. We must be more proactive in the state of Wisconsin with its dubious distinction of leading the country in binge drinking, daily drinking, DUIs, and drinking in pregnancy. These children, with their impressionable brain cells needing every bit of help, are exposed to the Wisconsin "culture of drinking" in countless and subtle ways day in and day out anyway. Exposing their neurons to the chemical influence of alcohol at an early age, in Wisconsin bars and taverns, only further distorts reality and increases their odds of abusing alcohol in their teenage and adult years.

The 2007 Wisconsin Youth Risk Behavior Survey revealed that 25.2% of high school seniors had driven a car one or more times in the past month when they had been drinking alcohol. That is one out of four--a sobering statistic! Interestingly, the minimum age to rent a car in this country is usually 25, sometimes 21, but not lower, despite the fact that teenagers can legally drive. The car rental industry, long before today's neurobiological research, understood from accident data that the judgment centers in the adolescent brain need time and maturity before they are "ready for the keys". We should ensure that these same teenagers have the time to mature before they are "ready to drink" in bars and public premises.

I support Assembly Bill 106, which restricts the consumption to age 18 and over. While 21 years of age is more in line with brain maturation, this current bill is a big step in a healthier direction.

Thank you for your consideration.

Paul M. Grossberg, MD  
Clinical Professor of Pediatrics  
University of Wisconsin-Madison School of Medicine and Public Health  
University Health Services



AUG 14 2009

**MERITER**  
Hospital

Wednesday, August 12, 2009

The Honorable Senator Terese Berceau  
Room 208 North  
State Capitol  
P.O. Box 8952  
Madison, WI 53707

Re: Support for Senate Bill 30

Dear Senator Berceau:

I am writing in support of Senate Bill 30, which begins to address the current law, Wisconsin Statute 125.07, allowing parents to purchase alcohol for their minor children. Research shows that the adolescent brain is not fully developed neurologically; exposing such a brain to addictive drugs is dangerous. The appeal of the "reward" of alcohol or other drugs is not yet counter-posed by inhibitory influences from a mature frontal lobe.

Research has shown that the early onset of drinking is associated with adult rates of addiction. Parents providing alcohol for their kids makes the practice a "socially approved" use in the parent's presence; the norms set by parents condoning alcohol use, however, influences their kids' decisions to drink outside of their parents' supervision. When kids drink outside their parent's supervision, either with other kids, or worse in isolation, they often engage in dangerous behavior such as "slamming" and binge drinking.

I am in support of this law change and I am writing to urge you to support the passage of Senate Bill 30. Please contact me with any questions you may have about it. The bill, amazingly, does fall short of full protection, as it ignores the minimum legal drinking age of 21 and only restricts parents from purchasing alcohol for their kids until they are 18. The benefits of the bill, however, are still apparent for all kids, birth to 18.

If we are to ever get a handle on Wisconsin's binge drinking culture, we must begin to address the social norm, that alcohol is harmless, good for everyone, at any age, and part of every social gathering. I am interested in the State of Wisconsin supporting parents to make good decisions concerning who is allowed to consume alcohol.

Regards,

*Michael M. Miller M.D.*

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